

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Attn: Box Missing Parts, Washington, D.C. 20231,  
on

PATENT

Attorney Docket No. 023070-068910US  
UC Case No. 97-052-2



*January 17, 1997*  
TOWNSEND and TOWNSEND and CREW LLP  
By *[Signature]*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joe W. Gray et al.

Serial No.: 08/731,499

Filed: 10/16/96

For: GENES FROM THE 20q13  
AMPLICON AND THEIR USES

)  
)  
) Examiner: Unassigned

)  
) Art Unit: Unassigned

)  
) TRANSMITTAL LETTER - RESPONSE  
) TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of  
Application - Filing Date Granted dated November 20, 1996,  
enclosed are the following to be made of record in the above-  
identified application:

- 1) Executed Declarations;
- 2) Executed Power of Attorney by Assignee and  
Exclusion of Inventor(s) Under 37 CFR § 3.71;
- 3) Communication Under 37 C.F.R. §§ 1.821-1.825 and  
Preliminary Amendment;
- 4) The sequence listing in computer readable form;
- 5) Diskette enclosed; and
- 6) Copy of Notice of Missing Parts and copy of  
response re sequence listing.

Please charge Deposit Account No. 20-1430 for the following fees:

(a) Filing Fee (§ 1.16(a)) (Large Entity)	\$ 770.00
(b) Excess Claims Fees (§ 1.16(b), (c)):	
<u>47</u> - 20 = <u>27</u> x 22.00 =	594.00
<u>5</u> - 3 = <u>2</u> x 80.00 =	160.00
<b>Multiple dependent claim presented</b>	<b>250.00</b>
(c) Missing Parts Surcharge (§1.16(e))	130.00
<b>TOTAL FEES TO BE CHARGED</b>	<b>\$1904.00</b>

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment to Deposit Account No. 20-1430 for this paper and during the prosecution of this application. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Tom Hunter  
Reg. No. 38,498

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
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c:\work\023070-6.Mis



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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001/21/499 10/16/96 GRAY 0272/1190

TURNBERRY AND TURNBERRY AND GRAY  
410 EMERALD CANYON CENTER 8TH FLOOR  
SAN FRANCISCO CA 94111 3834

DATE MAILED: 11/20/96

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130.00 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ large entity ☐ small entity (verified statement filed), is \$ 1,588.00

- ☒ 1. The statutory basic filing fee is:
- ☐ missing.
  - ☐ insufficient.
- Applicant must submit \$ 770.00 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 1,088.00, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☐ 3. The oath or declaration:
- ☐ is missing.
  - ☐ does not cover the newly submitted items.
  - ☐ does not identify the application to which it applies.
  - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☒ 4. The signature(s) to the oath or declaration is/are:
- ☐ missing.
  - ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:
- 380 BF 20-1430 04/08/97 08707922  
38071 115 196.00CH 023070-06891  
38071 115 110.00CH 023070-06891
- An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.
- ☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts" SD 20-1430 02/10/97 08731499

**A copy of this notice MUST be returned with the response**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

30057 101	770.00CH
30058 105	374.00CH
30059 102	160.00CH
30060 105	130.00CH
30061 104	130.00CH



Application No.: \_\_\_\_\_

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**